

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re Akorn, Inc. Securities Litigation

Case No. 1:15-cv-1944
Hon. Gary Feinerman

**DEFENDANTS' AMENDED MOTION TO DISMISS PLAINTIFFS'
CONSOLIDATED AMENDED CLASS ACTION COMPLAINT**

Defendants Akorn, Inc., Rajat Rai, and Timothy A. Dick hereby move the Court for an Order dismissing Plaintiffs' Consolidated Amended Class Action Complaint under Federal Rules of Civil Procedure 9(b) and 12(b)(6) and 15 U.S.C. § 78u-4(b) for failure to plead their claims with the required particularity or otherwise state a claim upon which relief can be granted.

Defendants respectfully propose the following briefing schedule regarding their motion, to which plaintiffs have agreed:

Defendants' Memorandum in Support	August 23, 2016
Plaintiffs' Response	October 18, 2016
Defendants' Reply	November 15, 2016

WHEREFORE, defendants respectfully request entry of an order dismissing Plaintiffs' Consolidated Amended Class Action Complaint for failure to state a claim upon which relief can be granted.

Dated: August 9, 2016

/s/Timothy A. Duffy

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